

---

UNITED STATES DISTRICT COURT

---

Northern

District of

Oklahoma

---

**STATE OF OKLAHOMA, ex rel.  
W.A. DREW EDMONDSON, in his  
capacity as ATTORNEY GENERAL OF  
THE STATE OF OKLAHOMA and  
OKLAHOMA SECRETARY OF THE  
ENVIRONMENT C. MILES TOLBERT,  
in his capacity as the TRUSTEE FOR  
NATURAL RESOURCES FOR THE  
STATE OF OKLAHOMA,**

**Plaintiff,**

**SUMMONS IN A CIVIL CASE**

**V.**

**TYSON FOODS, INC., TYSON POULTRY,  
INC., TYSON CHICKEN, INC., COBB-  
VANTRESS, INC., AVIAGEN, INC.,  
CAL-MAINE FOODS, INC., CAL-MAINE  
FARMS, INC., CARGILL, INC.,  
CARGILL TURKEY PRODUCTION, LLC,  
GEORGE'S, INC., GEORGE'S FARMS, INC.,  
PETERSON FARMS, INC., SIMMONS  
FOODS, INC., and WILLOW BROOK  
FOODS, INC.,**

**Defendants.**

**CASE NUMBER: 4:05-CV-00329-JOE-SAJ**

**TO: Simmons Foods, Inc.  
c/o registered service agent  
The Corporation Company  
735 First National Building  
120 N. Robinson  
Oklahoma City, OK 73102**

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY:  
W.A. Drew Edmondson, 112 State Capitol, 2300 N. Lincoln Boulevard, Oklahoma City, Oklahoma  
73105-4894, an answer to the complaint which is herewith served upon you, within 20 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default  
will be taken against you for the relief demanded in the complaint. You must also file your answer with the  
Clerk of this Court within a reasonable period of time after service.

AUG 19 2005

PHIL LOMBARDI  
CLERK

DATE

(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>1</sup>		DATE August 22, 2005
NAME OF SERVER (PRINT) Richard T. Garren		TITLE Attorney
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served: 		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: 		
<input type="checkbox"/> Returned unexecuted: 		
<input checked="" type="checkbox"/> Other (specify): Certified mail, return receipt no. 7003 2260 0003 3139 2409 		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL


<sup>1</sup> As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on August 25, 2005

*Date*

  
*Signature of Server*

502 W. 6th St.  
Tulsa, Ok 74119

*Address of Server*

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

##### 1. Article Addressed to:

Simmons Foods, Inc.  
c/o registered service agent  
The Corporation Company  
735 First National Building  
120 N. Robinson  
Oklahoma City, OK 73102

#### COMPLETE THIS SECTION ON DELIVERY

##### A. Signature

☒ Agent ☐ Addressee  


##### B. Receiver's Printed Name

##### D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes  
☒ No

##### 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

##### 4. Restricted Delivery? (Extra Fee)

☐ Yes

##### 2. Article Number

(Transfer from service label)

7003 2260 0003 3139 2409